

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed September 6, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 101

Claims 16-21 have been rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter.

In response, Applicant has amended claims to recite a "computer-readable medium". Applicant respectfully submits that such a medium at least qualifies as a "manufacture" under 35 U.S.C. § 101. Applicant therefore respectfully submits that claims 16-21 are directed to statutory subject matter as defined by 35 U.S.C. § 101 and therefore respectfully requests that the rejection be withdrawn.

II. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claim 16 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, it is noted that the term "system" lacks antecedent basis.

In response, Applicant has replaced the term "system" with "determinacy checker" as suggested by the Examiner. In view of that amendment, it is respectfully asserted that the claims define the invention in the manner required by 35 U.S.C. § 112. Accordingly, Applicant respectfully requests that the rejections to these claims be withdrawn.

III. Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-25 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Mandyam, et al.* ("Mandyam," U.S. Pat. No. 5,928,334). Applicant respectfully traverses this rejection.


As indicated above, Applicant has amended each independent claim. In view of those amendments, Applicant respectfully submits that the rejection is moot as having been directed toward Applicant's claims in a previous form. Applicant therefore respectfully requests that the rejections be withdrawn.

Turning to the merits of the Mandyam reference, Applicant notes that Mandyam does not describe a system or method for determining whether "multiple cores of a single processor" operate in "lockstep". Instead, Mandyam is concerned with determining whether distinct processors operate simultaneously without competing for storage access. See, e.g., *Mandyam*, column 2, line 31 to column 3, line 4. For at least that reason, Applicant submits that Mandyam does not anticipate Applicant's claims.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION**UNDER 37 CFR §1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted on the date indicated below via facsimile to the United States Patent and Trademark Office, facsimile number (571) 273-8300.

Date: 10-23-06

May McLaughlin
Signature -